

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|--------------------------|---|----------------------|
| THE CATV POLE ATTACHMENT |) | ADMINISTRATIVE |
| TARIFF OF (UTILITY) |) | CASES NOS. |
| |) | 251-1 through 251-49 |

O R D E R

On September 17, 1982, the Commission issued an Amended Order in Administrative Case No. 251, "The Adoption of a Standard Methodology for Establishing Rates for CATV Pole Attachments," and ordered electric and telephone utilities providing or proposing to provide CATV pole attachments to file tariffs conforming with the principles and findings of the Order on or before November 1, 1982.

On or about October 29, 1982, the subject utilities filed such tariffs, which were suspended on November 15, 1982, until not later than April 1, 1983. In its suspension Order, the Commission allowed Intervenors to comment on the proposed tariffs by December 15, 1982, to be limited solely to whether the tariffs complied with the methodology and standards directed in the final Order in Administrative Case No. 251.

On November 24, 1982, Kentucky Cable Television Association ("KCTA") filed a Motion for Leave to Intervene in all 49 cases involving cable attachment rates. On the same day KCTA served

information and data requests in a number of such cases, requesting that they be answered by December 3, 1982.

Louisville Gas & Electric Company filed its Objection to KCTA's intervention on November 29, 1982. Kentucky Power Company filed a similar objection on November 29, 1982. South Central Bell Telephone Company filed its objection on November 30, 1982. Allied Telephone Company of Kentucky, Inc., filed its objection to KCTA's intervention on December 3, 1982.

Berea College Electric Utility filed a Motion on December 6, 1982, asking for an additional 30 days to respond to KCTA's information request, and objected to KCTA's questions numbers 5 through 8 on the grounds that they were burdensome.

KCTA responded to the objections of the parties to its intervention and information requests on November 30, 1982.

DISCUSSION

KCTA adequately represents the interests of a majority of the cable television operators who are customers of the regulated utilities and will be subject to the questioned tariffs. No cable television operator has complained that KCTA has not properly represented its interests. For convenience of the Commission, the affected operators, and the utilities, and for the same reasons the KCTA was allowed to intervene and participate in prior proceedings on these related issues, we find the KCTA should be allowed to intervene in these cases.

Several of the utilities have objected to the validity, the form, and the relevancy of KCTA's information requests, which were directed to the particular utilities rather than through the Commission.

However, the Commission has examined the information requests and does not find them to be irrelevant or unreasonable on their face, and directs the utilities receiving such requests to respond when such information is available from their records.

It is apparent that the time allowed for response to the information requests by KCTA was not sufficient for many utilities to respond properly. Therefore we find that the utilities should have until December 20, 1982, to respond to KCTA's information requests, and further that KCTA's time for comment should be extended until January 3, 1983.

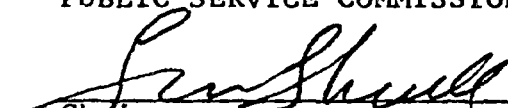
IT IS THEREFORE ORDERED that KCTA be and it hereby is allowed to intervene in these cases.

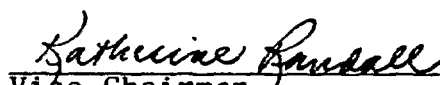
IT IS FURTHER ORDERED that utilities receiving the aforementioned information and data requests from KCTA shall file their responses with KCTA and the Commission by December 20, 1982.

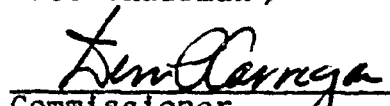
IT IS FURTHER ORDERED that KCTA has until January 3, 1983, to file its comments on the subject tariffs, with copies to the individually affected utilities.

Done at Frankfort, Kentucky, this 10th day of December,
1982.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Secretary